

REMARKS

This Amendment and Response is in reply to the Office Action of April 16, 2007. A one (1) month Petition For Extension of Time is filed concurrently herewith. Therefore, the time period for reply extends up to and includes August 16, 2007. Applicants wish to thank the Examiner for her careful review and consideration of the present application.

Applicants have amended claims 1-2, 7, 12 and 14. No new matter has been entered and such amendments are fully supported by the specification, drawings and claims as originally filed. Claims 1-12 and 14-15 remain pending in the present application.

Claim Objections

Claims 2-4 were objected to due to informalities. In accordance, claim 2 has been amended to change "appearance of the join" to --appearance of the joining member--. Since claims 3 and 4 depend either directly or indirectly from claim 2, Applicants request that the objections to claims 2-4 be withdrawn.

Claim Rejections Under 35 USC § 102

At paragraph 3 of the Office Action, the Examiner rejected claims 1-3, 6-8, 10 and 12 under §102(b) as being anticipated by U.S. Patent No. 479,275 (Heywood). At paragraph 4, the Examiner rejected claims 1 and 11 under §102(b) as being anticipated by U.S. Patent No. 4,913,576 (Grant, Jr.). At paragraph 5, the Examiner rejected claims 14-15 under §102(b) as being anticipated by U.S. Patent No. 6,018,924 (Tamlyn). Applicants traverse the rejections.

First, claim 1 has been amended to recite that the retaining member has a first preferential configuration and a second configuration such that when it is inserted into the gap, the retaining member is in the second configuration and once through the gap, the retaining member adopts its first preferential configuration to engage at least a portion of the second surface of each panel. By contrast, Heywood discloses a solid lead structure that is not insertable through a gap between two panels, such that the retaining member moves from a second configuration to allow insertion through the gap, after which the retaining members adopt a first preferential

configuration. Indeed, even if the "retaining member" of this citation (arms K as suggested by the Examiner) is capable of being inserted into the gap, once through the gap it does not, nor cannot, adopt a first preferential configuration. This is because the user would be required to actually bend and secure the retaining member in this manner. The advantage disclosed in the present application is that the retaining members can move in this manner – e.g., between the second configuration for insertion and the first configuration to snap lock the device in place, thus providing a quick, one-fit device to bridge the gap between the panels. Therefore, it is submitted that Heywood does not disclose all the limitations of claim 1 of the present application. Since claim 12 has been amended in substantially the same manner as claim 1, it is submitted that claim 12 is also allowable.

Second, since claims 2-3, 6-8 and 10 depend either directly or indirectly from claim 1, it is submitted that these claims are also in allowable form.

Third, Grant discloses a conventional bracket which is used to receive panels from either side. The retaining members, shown as 14 in the drawings, are fixed and not capable of moving from a second, insertable configuration back to a first preferential configuration as required by claim 1 of the present application. Therefore, it is submitted that Grant does not disclose all the limitations of claim 1 of the present application. Since claim 11 depends from claim 1, it is submitted that claim 11 is also allowable.

Fourth, claim 14 has been amended to clarify that the extension member adopts the first preferential configuration to cause the retaining member to engage at least a portion of the second surface of a panel. This is not disclosed in Tamlyn. Further, since Tamlyn does not disclose all the elements of claim 14 and since claim 15 depends from claim 14, it is submitted that both claims 14 and 15 are allowable.

In view of the foregoing, reconsideration and withdrawal of the §102(b) rejections to claims 1-3, 6-8, 10, 11, 12, 14 and 15 are requested. Applicants do not otherwise concede the correctness of the rejections and reserve the right to make additional arguments as may be necessary.

Claim Rejections Under 35 USC § 103

At paragraph 7, the Examiner rejected claim 4 under §103(a) as being unpatentable over U.S. Patent No. 479,275 (Heywood) in view of U.S. Patent No. 4,067,155 (Ruff et al.). Applicants traverse the rejection.

Claim 4 depends indirectly from claim 1 and as discussed above, claim 1 has been amended to recite that the retaining member has a first preferential configuration and a second configuration such that when it is inserted into the gap, the retaining member is in the second configuration and once through the gap, the retaining member adopts its first preferential configuration to engage at least a portion of the second surface of each panel. Applicants submit that the combination of Heywood and Ruff et al. do not disclose and/or teach the feature that a retaining member is moveable between a second configuration that allows insertion into a gap and a first configuration, once through the gap, to engage a second surface of a panel. Therefore, Applicants submit that the combination of Heywood and Ruff et al. do not disclose all the elements of claim 4 of the present application.

In view of the foregoing, reconsideration and withdrawal of the §103(a) rejection to claim 4 is requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments as may be necessary.

At paragraph 8 of the Office Action, the Examiner rejected claim 9 under §103(a) as being unpatentable over U.S. Patent No. 479,275 (Heywood). Applicants traverse the rejection.

Claim 9 depends indirectly from claim 1. As discussed above, claim 1 is allowable over Heywood. Therefore, claim 9 is also allowable. Accordingly, reconsideration and withdrawal of the §103(a) rejection is requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments as may be necessary.

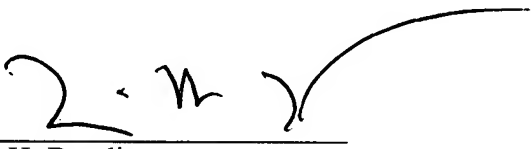
Conclusion

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

10 August 2007
Date





Brian H. Batzli
Reg. No. 32,960
Merchant & Gould P.C.
P. O. Box 2903
Minneapolis, MN 55402-0903
612.336.4755